

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

FRANCES ERVING and JOHNNIE ERVING,  
individually and on behalf of all others similarly  
situated,

Plaintiffs,

v.

SAXON MORTGAGE SERVICES, INC.,  
MORGAN STANLEY, OCWEN FINANCIAL  
CORP., OCWEN LOAN SERVICING, LLC,  
ASSURANT, INC., AMERICAN SECURITY  
INSURANCE COMPANY, and JOHN DOES 1-  
10,

Defendants.

Civil Action No. 1:12-cv-8992-ALC-HBP

**NOTICE OF VOLUNTARY DISMISSAL**  
**PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs Frances Erving and  
Johnnie Erving hereby dismiss this action, without prejudice, as against all defendants.

Dated: August 6, 2013

Respectfully submitted,

**DEALY SILBERSTEIN  
& BRAVERMAN, LLP**



Milo Silberstein  
225 Broadway, Suite 1405  
New York, NY 10007  
Tel: 212-385-0066  
Fax: 212-385-2117

**KESSLER TOPAZ  
MELTZER & CHECK, LLP**

Edward W. Ciolko  
Peter A. Muhic  
280 King of Prussia Road  
Radnor, PA 19087  
Telephone: (610) 667-7706  
Facsimile: (610) 667-7056

**NIX PATTERSON & ROACH, LLP**

Jeffery J. Angelovich  
Michael B. Angelovich  
Brad Seidel  
Christopher R. Johnson  
205 Linda Drive  
Daingerfield, TX 75638  
Telephone: (903) 645-7333  
Facsimile: (903) 645-4415

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 6, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all Counsel of record via Notices of Electronic Case Filing generated by ECF.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



A handwritten signature, appearing to be "M. J. [unclear]", is written over a horizontal line.